

60,426-302; 2000P07962US01

REMARKS

Claims 1, 3-11, 13-17, and 19-23 remain in the application including independent claims 1, 11, and 17. Claims 2, 12 and 18 have been cancelled. Claims 17, 22, and 23 are allowed. Claims 4-9, 13-16, and 19-21 are indicated as allowable.

Claim 20 has been amended to overcome the specified claim objection.

Claims 1, 3, 10, and 11 stand rejected under 35 U.S.C. 102(e) as being anticipated by O'Boyle. Claim 1 includes the feature of "a sensor mounted on said rigid member for measuring strain exerted on said rigid member by an input force applied to the seatbelt portion." The examiner argues that O'Boyle teaches the use of a sensor 20 that measures strain exerted on the sensor housing 30. Applicant disagrees.

As explained in Applicant's previous response, the O'Boyle reference does not teach a sensor assembly that measures strain exerted on the rigid member as claimed by Applicant. The examiner further argues that Webster's dictionary defines strain as "a force causing excessive tension, or deformation of a material body under action of applied forces." First, the examiner has not provided a citation for the reference from which this definition was obtained. Applicant respectfully requests that the examiner provide a citation for this reference.

Second, the sensor in O'Boyle does not even satisfy the requirements of the examiner's definition for measuring strain. The sensor 20 in O'Boyle is a Villari effect sensor. "The axial movement of the plunger 40 and pull rods 60 within the sensor housing 30 ensures that all seatbelt tension is applied as a compressive force to the Villari effect sensor rod 22" Col. 5, lines 5-8. Claim 1 requires the sensor to measure strain that is exerted on the rigid member. The

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sensor 20 in O'Boyle is measuring the effects of a *compressive* force that is exerted on the plunger 40 and is not measuring a tension force applied to the sensor housing 30.

Further, there is no deformation of a material body under action of an applied force in O'Boyle. The compressive force exerted on the plunger 40 changes the magnetic properties of the plunger 40. The Villari effect sensor 20 measures this change. "As the magnetic permeability through the sensor rod 22 changes, the Villari effect sensor 20 generates an output 28 response to the amount of compressive force acting thereon" Col. 5, lines 9-12. There is no teaching or discussion in O'Boyle of any deformation of the plunger 40, so there can be no measurement of strain.

Thus, the O'Boyle sensor does not measure strain because the sensor does not measure a force that causes tension on a material body and does not measure a force that causes deformation of a material body under action of applied forces. Instead, the O'Boyle sensor measures a change in a magnetic property of the plunger 40 where the magnetic property varies in response to a compressive force applied to that body. There is no teaching that the sensor in O'Boyle is capable of measuring strain exerted against the rigid body as claimed by Applicant.

Claim 11 includes the feature of a first boss portion extending outwardly along a portion of the first edge of the flat body portion and a second boss portion extending outwardly along a portion of the second edge of the flat body portion wherein the flat body portion and the boss portions define a guide.

The examiner argues that O'Boyle teaches the use of a bracket comprising a flat body portion 30 that is defined by a first end 38, second end 36, first and second sides, and a plurality of boss portions 60 extending outwardly along the first and second edges. Applicant disagrees.

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O'Boyle does not teach the use of a bracket having boss portions that extend outwardly along the first and second edges as claimed by Applicant. The examiner argues that the rods 60 in O'Boyle are bosses that extend outwardly along the top and bottom edges of the sensor housing. The examiner further argues that the term "outwardly" has been interpreted in its broadest scope because the term "outwardly" has not been used with reference to any other feature of the claimed invention. Applicant respectfully disagrees with this interpretation.

Claim 11 sets forth that the bracket includes:

"a generally flat body portion for supporting a seatbelt force sensor assembly, said body portion being defined by a first end, a second end, a first side interconnecting said first and second ends to define a first edge, and a second side interconnecting said first and second ends to define a second edge opposite from said first edge; and

a plurality of boss portions including at least a first boss portion extending outwardly along a portion of said first edge and a second boss portion extending outwardly along a portion of said second edge"

Thus, the term "outwardly" has been used in reference to the first and second edges of the flat body portion, which have been defined as interconnecting the first and second ends on opposite sides of the body portion. Further, while the examiner interprets the term "outwardly" in its broadest sense, this interpretation cannot contradict the basic meaning of the term. The term "outwardly" is defined as "Toward the outside; away from a central point; on the outside, externally" The American Heritage Dictionary Of The English Language, New College Edition, Houghton Mifflin Company, 1979.

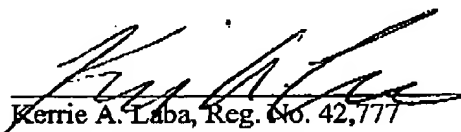
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The rods 60 that the examiner argues are equivalent to Applicant's claimed bosses clearly do not extend outwardly from the first and second edges of the sensor housing 30, which the examiner equates to Applicant's claimed body portion. The rods 60 are positioned inside of the sensor chamber 32, and thus are positioned internally, not externally, relative to the sensor housing 30. The rods 60 also do not extend away from a central point of the sensor housing 30 in relation to the top and bottom edges. The rods 60 actually extend inwardly toward the central point of the sensor housing 30.

Further, the sensor rods 60 run parallel to the sensor housing 30 and are slidably received within sensor housing holes 36 formed in the sensor housing 30. At best, the rods 60 can be interpreted as extending outwardly from one end 36 of the sensor housing 30 as the rods 60 move relative to the housing 30, but the rods cannot be interpreted as extending outwardly from the first and second edges of the body portion as set forth in claim 11.

For the reasons set forth above, Applicant asserts that all claims are in condition for allowance and respectfully requests an indication of such. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

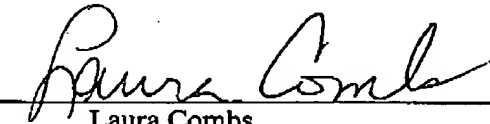

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I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on March 22, 2004.



Laura Combs

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